

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**AMERICO ESTEPAN RAMIREZ,**

**Plaintiff,**

**v.**

**DEVCON INTERNATIONAL CORP., M21  
INDUSTRIES, INC., formerly know as the  
companies MARK 21 INDUSTRIES, INC.,  
RENTAL EQUIPMENT COMPANY, INC.,  
CONTROLLED CONCRETE PRODUCTS,  
AND MARK 21 INDUSTRIES, V.I. CEMENT  
& BUILDING PRODUCTS, INC. d/b/a  
MARK 21,**

**Defendants.**

**1:06-cv-109**

**TO: Lee J. Rohn, Esq.  
Justin K. Holcombe, Esq.  
James L. Hymes, Esq.**

**ORDER**

THIS MATTER came before the Court upon Defendants Devcon International, Corp., Controlled Concrete Products, and V.I. Cement & Building Products, Inc.'s Emergency Motion to Stay Enforcement of Subpoena Issued to James L. Hymes, III, Esq. (Docket No. 82). Plaintiff filed a response to said motion. This order is issued without necessity of reply.

Having reviewed the said motion and the response thereto, the Court finds that Plaintiff has failed to demonstrate the harm or prejudice that would result from a stay. In addition, the Court finds that the interests of judicial economy weigh in favor of granting a brief stay of enforcement of the subpoena at issue that is the subject of Defendants' motion to quash until resolution of said motion to quash. Consequently, the Court will grant the motion.

WHEREFORE, it is now hereby **ORDERED**:

1. Defendants' Emergency Motion to Stay Enforcement of Subpoena Issued to James L. Hymes, III, Esq. (Docket No. 82) is **GRANTED**.
2. Any enforcement of the subpoena at issue is hereby **STAYED** until resolution of Defendants' Motion to Quash Subpoena or, in the alternative, to Issue a Protective Order that the Requested Documents Need Not Be Produced (Docket No. 80).

ENTER:

Dated: May 26, 2010

/s/ George W. Cannon, Jr.  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE